

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed December 24, 2003.

Currently, claims 1-4, 6-13, 15, 16, 18, 19, 27, 28, 32, 33 and 35-42 are pending.

I. Allowable Subject Matter

The Examiner stated that claim 17 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In accord, Applicants have amended claim 13 to substantially include the limitations of claims 14 and 17. Therefore, Applicant asserts that claim 13 is in condition for allowance.¹ By reason of their dependency on claim 13, Applicant asserts that claims 15, 16, 18 and 19 are also in condition for allowance.

The Examiner stated that claim 31 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In accord, Applicants have amended claim 27 to substantially include the limitations of claims 31 and 30. Therefore, Applicant asserts that claim 27 is in condition for allowance. By reason of their dependency on claim 27, Applicant asserts that claims 28 and 32-34 are also in condition for allowance.

The Examiner stated that claims 35-37 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In accord, Applicants have amended claims 35 and 37 to substantially include the limitations of independent claim 34. Therefore, Applicant asserts that claims 35-37 are in condition for allowance.

II. Rejection of Claims 1-3

The Examiner rejected claims 1-3 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,557,541, Schulhof et al. ("*Schulhof et al.*"). However, because *Schulhof et al.* does not disclose all of the limitations of the amended claims, Applicants assert that amended claims 1-3 are patentable over the cited prior art.

¹ Although Applicants have amended the claims to obtain allowance, Applicant does not agree that Berhan discloses or suggests user replaceable interface code as that term is used in Applicant's specification.

The invention recited in claim 1 is directed to an improved vehicle sound system. The Background of the Invention section of the present patent application explains that one of the prior art devices, a portable solid state music player that can be connected to an automobile stereo, is not satisfactory because “while music can be sent from the portable player to the car stereo, the car stereo cannot communicate back to the music player so the user is unable to use the controls of the car stereo to control the music player.” [Application. at p. 3]. This is a safety issue as well as a convenience issue.

The embodiments of the present invention recited in amended claim 1 solve the above described problem. For example, claim 1 recites “said audio head unit includes a control panel, said control panel includes a play list selection device ... said play list selection device chooses a play list and said audio head unit plays one or more of said audio files according to said play list selected by said play list selection device.” These limitations are not disclosed by *Schulhof et al.*

Schulhof et al. discloses an apparatus for distributing subscription and on-demand audio programming. The disclosed apparatus includes a library 18 that stores audio content received from various sources. Some of that stored audio content is transferred to portable storage medium 50, which is then connected to an AM/FM radio in an automobile. For example, *Schulhof et al.* states:

A portable program storage/playback system 40, provides a specialized set of three interrelated subsystems that together capture the selected audio program material, store the program material, and enable easy transportation of the stored program material to a playback unit located that is elsewhere, for example in a mobile environment, such as an automobile. The three subsystems include a base docking device 36, a portable storage unit 50, and a mobile docking device 44. Once program materials are stored on the portable storage medium 50 as discussed above, the medium is transferred (60) to an interface 42 provided by the mobile docking device 44. The playback system permits the stored program material to be played back in real time, for example over the AM/FM radio 46 in an automobile. [*Schulhof et al.*, col. 7, lines 14-27]

The audio content on the portable storage medium is transferred to the radio in the automobile using FM modulation:

The portable medium is intended for transportable use. Thus, the medium is removed from the base docking station 36 and carried (60) to the mobile docking station 42. In the mobile docking station, a select circuit 63 identifies the contents of the portable storage medium and a processor 64 reads, decompresses the program material, and converts the digital material to analog audio signal that may be used to drive a modulator 61 which, in turn, provides an analog RF signal to the mobile location, e.g. a car radio 46. [*Schulhof et al.*, col. 12, lines 4-11]

As disclosed in the above quoted passages, the apparatus of *Schulhof et al.* that transfers audio content to the automobile radio does so by transmitting a FM modulation signal to the automobile radio. This is a one way communication – from modulator 61 to car radio 46. There is no disclosure of communication from car radio 46 back to modulator 61 or processor 64. As such, the device of *Schulhof et al.*, does not disclose a play list selection device on the head unit that “chooses a play list and said audio head unit plays one or more of said audio files according to said play list selected by said play list selection device.” Because there is one way communication – from modulator 61 to car radio 46, car radio 46 cannot choose a play list on the portable storage medium. Therefore, Applicants assert that claim 1 is patentable over *Schulhof et al.*

For the same reasons as discussed above with respect to claim 1, Applicants assert that claims 2-4 and 6-12 are in condition for allowance.

Claim 2 is further distinguished from the prior art due to additional limitations. For example, claim 2 recites that “said audio head unit includes a hard disk drive connector; and said hard disk drive capable of being removably connected to said hard disk drive connector of said audio head unit.” These limitations are not taught by the cited prior art. For example, as explained above, *Schulhof et al.* teaches that the audio content on the portable storage medium is transferred to the radio in the automobile using FM modulation; therefore, *Schulhof et al.* does not disclose and teaches away from using a hard disk drive connector to connect the hard disk drive to the head unit. Therefore, claim 2 is in condition for allowance.

Claim 3 is further distinguished from the prior art due to additional limitations. For example, claim 3 recites that “said audio head unit accesses said compressed music data files from said removable hard disk drive ...” These limitations are not taught by the cited prior art. For example, as explained above, *Schulhof et al.* does not disclose that the car radio accesses

files on the storage medium. Rather, *Schulhof et al.* teaches that the audio content on the portable storage medium is processed into a music signal by interface 42 and that music signal is transferred to the radio in the automobile using FM modulation. Therefore, claim 2 is in condition for allowance.

III. Rejection of claim 4-12

Each of the §103 rejections for claims 4 and 6-12 relies on the assertion that *Schulhof et al.* discloses all of the limitations of claim 1. As explained above, *Schulhof et al.* does not disclose all of the limitations of the claim 1. Therefore, Applicant respectfully asserts that each of the §103 rejections should be withdrawn and claims 4 and 6-12 are in condition for allowance.

IV. Rejection of Claims 38-41

The Examiner rejected claims 38-41 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,344,801, Aoki et al. ("*Aoki et al.*"). However, because *Aoki et al.* does not disclose all of the limitations of the recited claims, Applicants assert that claims 38-41 are patentable over the cited prior art. More specifically, *Aoki et al.* does not disclose "connecting a hard disk drive to a computing device; transferring audio data files from said computing device to said hard disk drive; disconnecting said hard disk drive from said computing device; connecting said hard disk drive to an automobile head unit ..." as recited in amended claim 38. Therefore, claim 38 is patentable over the cited prior art.

By reason of its dependency on claim 38, claim 41 is also patentable over the cited prior art.

Claims 39 and 40 are rejected under 35 U.S.C. §103 based on the assertion that *Aoki et al.* discloses all of the limitations of claim 38. As explained above, *Aoki et al.* does not disclose all of the limitations of amended claim 38. Therefore, Applicant respectfully asserts that each of the §103 rejections for claims 39 and 40 should be withdrawn and claims 39 and 40 are in condition for allowance.

V. New Claim

Applicant has added new claim 42, which is patentable for the same reasons as discussed above with respect to claim 2.

V. Information Disclosure Statement

On March 8, 2000, Applicant filed an Information Disclosure Statement ("IDS") citing three references: (1) excerpts from www.empeg.com, (2) Clarion and (3) RCA. The IDS included a Form PTO-1449, listing the three references. On March 29, 2000, Applicant received a post card back from the USPTO acknowledging receipt of the IDS and the references cited therein. However, the Examiner has not returned the Form PTO-1449 with the Examiner's initials. Applicant respectfully requests that the Examiner return the Form PTO-1449 with the Examiner's initials.

In view of the above Amendments and Remarks, reconsideration of claims 1-4, 6-13, 15, 16, 18, 19, 27, 28, 32, 33 and 35-41 and consideration of new claim 42 is requested.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this document, including any fee for extension of time, which may be requested.

Respectfully submitted,

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